

# EXHIBIT B

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**From:** Paula Colbath  
**Sent:** Sunday, August 18, 2024 2:08 PM  
**To:** Patrick Murphy; Alex Inman; Scott C. Murray; Khale J. Lenhart; Feinstein, Marc; diden@omm.com; sparikh@omm.com; Marc Gottlieb; Meggan Hathaway; Tyson R. Woodford; Pao, William K.; Jane France; Masterson  
**Cc:** David Forrest; Leily Lashkari; Maribel Gill; Sean Larson; Kari Hartman  
**Subject:** Re: BCB v MineOne et al - Notice of Subpoena

Pat: No need to get hysterical over several non-party subpoenas. There is certainly no need for emergency motions. As we have said for months, counsel needs to arrange an all hands meeting to hammer out a logical schedule for depositions. We intend to cooperate with all third party witnesses (and their individual counsel should they retain them) as to their availability. The dates on the subpoenas are simply proposed dates, totally subject to the witness' availability. Given the impending discovery deadline, it was imperative we issued the subpoenas to start discussions with the witnesses on availability, especially given my upcoming vacation.. We can take the issue up with Judge Hambrick tomorrow.

Regards,  
Paula Colbath

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**From:** Patrick Murphy <pmurphy@wpdn.net>  
**Sent:** Sunday, August 18, 2024 1:58:29 PM  
**To:** Alex Inman <ainman@loeb.com>; Scott C. Murray <smurray@wpdn.net>; Khale J. Lenhart <KLenhart@hirstapplegate.com>; Feinstein, Marc <mfeinstein@omm.com>; diden@omm.com <diden@omm.com>; sparikh@omm.com <sparikh@omm.com>; Marc Gottlieb <msg@orllp.legal>; Meggan Hathaway <mhathaway@spkm.org>; Tyson R. Woodford <TWoodford@hirstapplegate.com>; Pao, William K. <wpao@omm.com>; Jane France <jfrance@spkm.org>; Masterson <masterson@wpdn.net>  
**Cc:** Paula Colbath <pcolbath@loeb.com>; David Forrest <dforrest@loeb.com>; Leily Lashkari <llashkari@loeb.com>; Maribel Gill <mgill@loeb.com>; Sean Larson <slarson@hkwylaw.com>; Kari Hartman <khartman@hkwylaw.com>  
**Subject:** RE: BCB v MineOne et al - Notice of Subpoena

## CAUTION: EXTERNAL EMAIL

Dear Ms. Colbath:

I received this email and attachments on Friday afternoon, August 16 at 4:50 pm Mountain.

I am writing this reply email to you as my effort to meet-and-confer with you as to whether you and MineOne Wyoming Data Center LLC ("MineOne Wyoming") will consent to BCB filing an Emergency Motion For a Protective Order [on all these August 2024 subpoenas and August 22 and 23 depositions], for a Motion to Quash MineOne's August 2024 Subpoenas on BCB's Passive Investors, For an Award of BCB's attorney's fees incurred resisting these wrongful foreign subpoenas, and for the fees BCB has already incurred retaining counsel in Illinois and Ohio to resist these wrongful subpoenas, for the Sanction of Default against MineOne Wyoming on Plaintiff's First Amended Complaint, as well as MineOne Wyoming's Answer and Counterclaims, and for the Court's Revocation of Paula Colbath's Pro Hac Vice Admission to Practice in this Wyoming federal district court in this case going forward ("Emergency Motion").

Because you arbitrarily set these Illinois, Tennessee and Florida depositions for August 23, 2024, without any discussion or conferral with me, I am now forced, by rule, to file BCB's Rule 26 Motion for Protective Order by midnight tonight. Consequently, I need to hear from you by 8:00 pm tonight if you will consent, or not consent, to BCB filing this *Emergency Motion* (described above). Thank you.

Pat Murphy  
Counsel for Plaintiff BCB Cheyenne LLC



Patrick J. Murphy

Attorney at Law  
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**From:** Alex Inman <ainman@loeb.com>  
**Sent:** Friday, August 16, 2024 4:50 PM  
**To:** Patrick Murphy <pmurphy@wpdn.net>; Scott C. Murray <smurray@wpdn.net>; Khale J. Lenhart <KLenhart@hirstapplegate.com>; Feinstein, Marc <mfeinstein@omm.com>; diden@omm.com; sparikh@omm.com; Marc Gottlieb <msg@orllp.legal>; Meggan Hathaway <mhathaway@spkm.org>; Tyson R. Woodford <TWoodford@hirstapplegate.com>; Pao, William K. <wpao@omm.com>; Jane France <jfrance@spkm.org>; Masterson <masterson@wpdn.net>  
**Cc:** Paula Colbath <pcolbath@loeb.com>; David Forrest <dforrest@loeb.com>; Leily Lashkari <llashkari@loeb.com>; Maribel Gill <mgill@loeb.com>; Sean Larson <slarson@hkyolaw.com>; Kari Hartman <khartman@hkyolaw.com>  
**Subject:** BCB v MineOne et al - Notice of Subpoena

Counsel:

Please see the MineOne Defendants' notice of intent to serve subpoenas on Black Hills Energy, James Quid, Todd Edwards, and Barney Patsel.

Regards,

Alex

**Alex Inman**  
**Attorney At Law**



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